

## Exhibit A

### Sec. 146-130. - Vehicle parking.

In all zoning districts except the MTC - McKinney Town Center zoning district, off-street parking, also known as on-site parking, shall be provided for each of the uses identified herein-below at the ratios specified herein at the time any building or structure is (a) erected or (b) structurally altered, or at such other time when the use of an existing building is changed, except as otherwise specified by this chapter. The ratios specified herein shall be considered the minimum number of on-site vehicle parking spaces required by the City of McKinney and these minimum ratios are not intended to be reflective of current market or industry trends. Refer to appendix G-2 of the city zoning regulations (chapter 146) for parking requirements specifically applicable to the MTC - McKinney Town Center zoning district.

(1) *Parking requirements.*

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| Assisted living facility, nursing home, or rest home                        | 1 parking space for every 4 beds.  |
| Bank, savings and loan, or similar institution                              | 1 parking space for every 400 square feet plus 5 stacking spaces per drive-through teller or ATM station.  |
| Bed and breakfast facility  | 1 parking space for every guest room plus the parking requirements for a detached single family dwelling shall apply to the owner/occupant of the facility   |
| Car wash (full service)   | 1 parking space for every 250 square feet of floor area plus 7 stacking spaces for each wash, vacuum, or gas pump lane.  |
| Car wash (self-serve)   | 1 parking space for each bay or stall (in addition to washing areas or stalls) plus 3 stacking spaces for each wash bay if automated drive-through or 2 stacking spaces for each wash bay if wand-type.                      |
| Church or other place of worship  | 1 parking space for each 3 seats in the main auditorium or assembly hall. If no fixed seating is proposed, 1 parking space shall be provided for every 50 square feet of floor area in the main auditorium or assembly hall. |
| College or university   | 10 parking spaces per classroom.   |
| Amusement (indoor):   | 1 parking space for each 100 square feet of gross floor area for uses not listed below.  |
| a. Amusement center   | 1 parking space for every 50 square feet.  |
| b. Bingo parlors  | 1 parking space for every 3 seats or one for every 100 square feet, whichever is greater.  |
| c. Bowling alley  | 6 parking spaces for each alley.   |
| d. Racquetball or handball courts   | 3 parking spaces for each court.   |
| e. Indoor tennis courts   | 6 parking spaces for each court.   |
| f. Indoor jogging or running tracks   | 1 parking space for every 300 linear feet.   |
| g. Swimming pool  | 1 parking space for every 100 square feet of water surface plus deck area.   |
| h. Theatres and auditoriums, including motion picture theaters              | 1 parking space for every 4 seats.   |
| i. Areas for subsidiary uses not listed, such as restaurants, offices, etc. | Calculate required parking for each subsidiary use in addition to the minimum standards for other uses.  |
| Amusement (outdoor):  |  |
| a. Areas with fixed seating or bleachers                                    | 1 parking space for every 4 seats for fixed seating or for every 6 linear feet of benches for bleacher seating.  |

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| b. Golf course  | 5 parking spaces per hole, plus requirements for retail parking, office parking, country club parking, and other uses as applicable.   |
| c. Golf driving range   | 1.5 parking spaces per driving tee.  |
| d. Soccer, football, baseball, or other play fields with no fixed seating               | 50 parking spaces per field.   |
| e. Tennis courts, basketball courts, or similar recreation courts with no fixed seating | 6 parking spaces per court.  |
| f. Neighborhood pool  | 1 parking space per 200 square feet of pool surface area (not including wading pools or whirlpool baths) and 1 space per 400 square feet of building area.   |
| g. Swimming pool  | 1 parking space for every 100 square feet of water surface plus deck area.   |
| Community center, library, museum, or art gallery                                       | 10 parking spaces plus one additional space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of one space for each 4 seats that it contains.  |
| Community garden  | 1 parking space for every 21,780 square feet (1/2 acre) of gardening area for gardens that are 21,780 square feet or larger; however, no parking shall be required for gardens with a gardening area of less than 21,780 square feet.  |
| Contractor's yard   | 1 parking space for every 5,000 square feet of lot area, with a minimum of 5 spaces.   |
| Convenience store (with or without gas pumps)   | 1 parking space for every 250 square feet of floor area, with a minimum of 5 parking spaces. Spaces provided for fueling at the pump stations shall not be considered parking spaces.  |
| Day nursery or day care center  | 1 parking space for every 8 pupils, based on design capacity plus 6 stacking spaces shall be required per drive-through/pick-up lane.  |
| Dry cleaners (with drive-through)   | 1 parking space for every 250 square feet of floor area plus 3 stacking spaces shall be required per drive-through lane.   |
| Dwellings, duplex   | 2 parking spaces for every unit, including 1 covered or enclosed space.  |
| Dwellings, multiple family  | For dwelling units not located in the Commercial Historic district: 1 parking space for each dwelling unit plus 0.5 space for each bedroom in all dwelling units. No less than 50% of the units shall have an enclosed parking space. The percentage of required enclosed parking may be reduced as provided for in section 146-130(2)(f)(v). Enclosed parking spaces may include, but not be limited to an open-air, multi-level parking structure (excluding the top floor of said structure), tuck-under parking, and a detached garage(s). If a garage door is associated with the enclosed parking space, a 20-foot long driveway in front of the garage door shall be provided or an additional 0.5 parking space per enclosed space shall be provided elsewhere on-site. The 20-foot driveway in front of a garage door may be counted as a parking space. For dwelling units located in the Commercial Historic district as defined in section 146-97: 1 parking space for each dwelling unit shall be provided. |
| Dwellings, multiple family  | For dwelling units not located in the Commercial Historic district: 1  |

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| (senior)   | parking space for each dwelling unit. No less than 50% of the units shall have an enclosed parking space. The percentage of required enclosed parking may be reduced as provided for in section 146-130(2)(f)(v). Enclosed parking spaces may include, but not be limited to an open-air, multi-level parking structure (excluding the top floor of said structure), tuck-under parking, and a detached garage(s). If a garage door is associated with the enclosed parking space, a 20-foot long driveway in front of the garage door shall be provided or an additional 0.5 parking space per enclosed space shall be provided elsewhere on-site. The 20-foot driveway in front of a garage door may be counted as a parking space. For dwelling units located in the Commercial Historic district as defined in section 146-97: 1 parking space for each dwelling unit shall be provided. |
| Dwellings, single family attached                                      | 2 parking spaces for each unit including 2 covered or enclosed spaces.   |
| Dwellings, single family detached                                      | 2 parking spaces for each unit including 2 covered or enclosed spaces, except that if a dwelling is constructed under a program for affordable housing sponsored by the city or sponsored by a non-profit corporation approved by the city 2 parking spaces must be provided for each unit, including a minimum of 1 covered or enclosed space.  |
| Flea and farmers' market   | 1 parking space for every 250 square feet of market area.  |
| Fraternity, sorority, or dormitory                                     | 1 parking space for each 2 beds.   |
| Fueling station or gasoline station (no ancillary services)            | 1 parking space for every 4 pumping stations. Spaces provided for fueling at the pump stations shall not be considered parking spaces.   |
| Furniture or appliance store, hardware store, wholesale establishments | 1 parking space for every 400 square feet.   |
| Fitness club, gymnasium, exercise area or similar use                  | 1 parking space for every 150 square feet.   |
| Hospital   | 1 parking space for each bed.  |
| Hotel/motel or residence hotel   | 1 parking space for each sleeping room without a kitchen or 1.5 parking spaces for each sleeping room with a kitchen, plus 1 parking space for every 200 square feet of restaurant, retail, conference, or office area.  |
| Independent living facility  | 1 parking space for every dwelling unit.   |
| Indoor gun range   | 2 parking spaces for every firing lane and 10 parking spaces for each instructional classroom, if any, plus all other parking requirements for any associated office use and/or retail use within, on and about the premises of the indoor gun range.  |
| Industrial and manufacturing uses                                      | 1 parking space for every 1,000 square feet up to 20,000 square feet plus 1 parking space for every 2,000 square feet in excess of 20,000 square feet.   |
| Industrial Flex Center   | For Industrial Flex Centers up to and including 40,000 square feet in floor area, 1 parking space for each 1,000 square feet. For Industrial Flex Centers greater than 40,000 square feet in floor area, 1 parking space for each 2,000 square feet.   |
| Junk yard, recycling center, and similar industrial uses               | 1 parking space for every 10,000 square feet of lot area.  |
| Lodge, fraternal organization,   | 1 parking space for each 200 square feet of floor area.  |

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| country club or golf club   |   |
| Lumber yard   | 1 parking space for every 400 square feet of floor area, plus 1 parking space for every 1,000 square feet of warehouse.   |
| Machinery or heavy equipment sales  | 1 parking space for every 400 square feet of gross floor area.  |
| Mini-warehouse (self-storage)   | 4 parking spaces. A 12-foot wide loading zone shall be constructed in front of all access areas for each unit and shall not conflict with required fire lanes. A single loading zone may accommodate units on both sides of fire lane.  |
| Mobile home or mobile home park   | 2 parking spaces for each mobile home plus additional spaces as required herein for accessory uses.   |
| Mortuary or funeral home  | 1 parking space for each 200 square feet of floor space in slumber rooms, parlors, or individual funeral service rooms.   |
| Motor vehicle/automobile sales and new or used car lots                                       | 1 parking space for each 500 square feet of sales floor for indoor uses plus 1 parking space for each 1,000 square feet of outdoor display area in addition to spaces calculated for office and repair areas at their respective rates.   |
| Motor vehicle/automobile repair and service (with or without gasoline sales)                  | 2 parking spaces for each service bay with a minimum of 5 spaces plus parking requirements for office and overnight storage of vehicle. For quick lube or similar services, three stacking spaces for each service bay shall also be provided. Spaces provided for fueling at the pump stations shall not be considered parking spaces. All types of motor vehicle service or repair facilities must have a designated area on the site plan for the overnight storage of vehicles awaiting repair. If overnight storage is proposed a minimum of 1 overnight storage parking space must be provided for each proposed service bay. |
| Office, (business, professional or research)  | 1 parking space for each 400 square feet.   |
| Office, medical, dental, or similar health services   | 1 parking space for each 300 square feet of floor area.   |
| Race track, horses or dogs  | 1 parking space for each 4 seats.   |
| Restaurant, private club, nightclub, cafe, or similar recreational or amusement establishment | 1 parking space for each 150 square feet of floor area, plus 6 stacking spaces from the point where the order is placed.  |
| Retail store or personal service establishment, except as otherwise specified herein          | 1 parking space for every 250 square feet of floor area.  |
| Roominghouse or boardinghouse   | 1 parking space for each sleeping room.   |
| Shopping Center   | For Shopping Centers up to and including 50,000 square feet in floor area, 1 parking space for each 250 square feet. For Shopping Centers greater than 50,000 square feet in floor area, 1 parking space for each 350 square feet.  |
| School, elementary  | 2.5 parking spaces for each classroom, plus 1 pick-up/drop-off lane consisting of at least 10 stacking spaces.  |
| School, high  | 8 parking spaces for each classroom plus 1 parking space for each 4 seats in the main auditorium. Additional parking need not be provided for ancillary uses such as swimming pools or practice fields used solely  |

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|                               | by students and staff. The number of parking spaces required for stadiums or facilities used jointly by the public outside of regular school hours may be reduced by the number of spaces provided for use during regular school hours.  |
| School, junior high or middle | 2.5 parking spaces for each classroom plus 1 parking space for each 4 seats in the auditorium plus 1 pick-up/drop-off lane consisting of at least 10 stacking spaces. Additional parking need not be provided for ancillary uses such as swimming pools or practice fields used solely by students and staff. The number of parking spaces required for stadiums or facilities used jointly by the public outside of regular school hours may be reduced by the number of spaces provided for use during regular school hours. |
| Truck stops                   | 1 parking space for each 10,000 square feet of site area plus 1 vehicle space for each 250 square feet of building area.   |
| Veterinarian clinic           | 1 parking space for each 300 square feet of floor space.   |
| Warehouse type uses           | 1 parking space for each 4,000 square feet.  |

(2) *Director of Planning Determination.* For uses not expressly listed in Table 146-1, the Director of Planning shall have the authority to make the following determinations in conjunction with a site plan's consideration:

- a. Apply the minimum on-site parking space requirement specified in Table 146-1, for the listed use that is deemed most similar to the proposed use; or
- b. Establish the minimum on-site parking space requirement by reference to standards in parking resources published by the National Parking Association, American Planning Association, Institute of Traffic Engineers (ITE) 5th Edition or other acceptable sources of parking data;

(3) *Rules for computing number of parking spaces.* In computing the number of parking spaces required for each of the above uses the following rules shall govern:

- a. The term "floor area" means the gross floor area of the specific use.
- b. Where fractional spaces result, the parking spaces required shall be constructed to be the next higher whole number.
- c. Whenever a building or use is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise, to create a need for an increase in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever any building is enlarged to the extent of 50 percent or more in floor area or in the area used, said building or use shall then and thereafter comply with the parking requirements set forth herein.
- d. In the case of mixed uses, with the exception of Shopping Center and Industrial Flex Center uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
- e. For shopping centers and industrial flex centers (as defined below), changes in the use of tenant spaces over time shall not generate a change in the minimum parking requirement as reflected on the approved site plan. However, once a site plan is approved utilizing the required parking ratios for shopping centers or industrial flex centers, modifications to the site plan to reduce the minimum parking requirements by using other minimum parking requirements shall not be permitted unless approved by the Planning and Zoning Commission via the site plan modification process.
  1. Shopping Center – A single building in a non-industrial zoning district containing a group of uses permitted in the governing zoning district. Site design requirements include provision for delivery of goods separated from customer access; provision of aesthetically appropriate design; and protection from the elements.
  2. Industrial Flex Center – A single building in an industrial zoning district containing a group of uses permitted in the governing zoning district.
- f. When calculating parking requirements for a combination of uses, only the cumulative total of the required parking for the combined uses is subject to rounding.
- g. Parking reduction considerations.

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1. **Parking Demand Study.** An applicant may submit a parking demand study to demonstrate that anticipated on-site parking demand for the proposed use, development, or combination of uses will be less than that required in Table 146-1. If the Director of Planning determines that the information and assumptions used in the parking demand study are reasonable and that the study accurately reflects anticipated on-site parking demand the Director of Planning may approve a reduction in required on-site parking spaces based on said study as part of the site plan process. However, under no circumstances shall the overall reduction in required parking for a proposed use, development, or combination of uses pursuant to a parking study exceed twenty-five (25) percent of the sum of the total required parking that would have otherwise been required for the development pursuant to Table 146-1. Developments that utilize a parking study to determine the on-site parking required shall not be eligible for any other parking reduction.
2. **Large Development Reduction.** For developments other than Shopping Centers and Industrial Flex Centers which are greater than 50,000 square feet in floor area, the sum of the total required parking may be reduced with site plan approval. Determination shall be based on the frequency of the anticipated peak parking demands, and location of parking spaces in relation to the building(s).
3. **Tree Preservation Reduction.** The sum of the total required parking for a development may be reduced as indicated by the table below if a quality tree(s) which may otherwise be removed with no mitigation obligation is preserved.

| Size (DBH) of the Preserved Tree | Reduction in Parking Requirement |
|----------------------------------|----------------------------------|
| 6" to 8"                         | 2 parking spaces                 |
| 9" to 15"                        | 3 parking spaces                 |
| 16" to 30"                       | 4 parking spaces                 |
| 31" to 41"                       | 5 parking spaces                 |

4. **Multi-Family Enclosed Parking Reduction.** The enclosed parking space requirement for multi-family residential and senior multi-family residential uses may be reduced from no less than 50 percent of the units having an enclosed parking space to no less than 30 percent of the units having an enclosed parking space as part of the site plan approval process. The project is subject to the city council's discretionary approval after consideration by the planning and zoning commission and may be approved if the proposed project satisfies the following:
  - (i) The project represents an innovative or exceptional quality design; and
  - (ii) The project represents a significant contribution to the existing and future built environment in the area.
  - (iii) Reductions in the enclosed parking requirement may not be granted for pecuniary reasons or to serve as a convenience for the development.
5. **Parking Reduction Limitations.** Save and except a parking reduction pursuant to the parking demand study above, if one of the parking reductions specified above is utilized, the overall parking reduction shall not exceed ten percent of the sum of the total required parking for the development. If two or more of the parking reductions specified above are utilized, the overall parking reduction shall not exceed fifteen (15) percent of the sum of the total required parking for the development.

**(4) Shared parking spaces.**

- a. Under specific circumstances listed below, some off-street parking spaces may be shared between different uses. The Director of Planning may approve a proposed shared parking arrangement during the site planning process for up to 50 percent of the parking spaces required, if:
  1. The uses are not normally open, used, or operated during the same hours as theaters, bowling alleys, nightclubs, church or school auditoriums, or similar uses; or
  2. The peak business hours for the uses which propose to share parking spaces do not overlap as demonstrated by a shared parking demand study provided by the applicant; or
  3. A site has parking spaces above and beyond the minimum parking requirements.

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- b. If the Director of Planning disagrees with the conclusion of a proposed shared parking demand study, they shall have the authority to deny said study. The Director of Planning's denial may be appealed to the Planning and Zoning Commission if said appeal request is formally submitted to the Planning Department within seven (7) calendar days of the denial. The Planning and Zoning Commission's action on an appeal shall be final.
  - c. Within the MTC—McKinney Town Center zoning district, public off-street parking spaces and striped public on-street parking spaces may be used to satisfy up to 100 percent of the use's parking requirements so long as these public parking spaces are located within 200 feet of the use's property. In these cases, no shared parking agreement shall be required.
- (5) *Location of parking spaces.* All parking spaces required herein shall be located on the same lot with the building or use served, except as follows:
- a. Required parking spaces for non-residential uses not located on the same lot with the building or use served may be located on another lot located no more than 500 feet from such building or use. Where no parking lot or building is being constructed, staff may approve such off-site parking arrangements. If the proposed off-site parking proposal is related to or includes construction of a building or parking lot, proposed off-site parking arrangements shall be considered during the site plan process.
  - b. Parking location requirements for uses in the MTC - McKinney Town Center zoning district shall be determined according to the provisions of appendix G-2 of the city zoning regulations (chapter 146).
- (6) *Parking agreements required.* For any shared parking arrangement or off-site parking arrangement described above, written agreements ensuring retention of such parking spaces for such purposes, shall be properly drawn and executed by the parties concerned, approved as to form by the city attorney and shall be filed with the application for a building permit.
- a. A permanent easement for shared or off-site parking facilities shall be dedicated and recorded as a condition of such use.
  - b. A long-term remote parking agreement shall be provided.
- (7) *Parking design, pavement, and maintenance.* All off-street parking facilities, whether provided as required by this chapter, or provided in excess of these requirements, or otherwise provided, shall comply with the minimum requirements for parking and maneuvering space herein specified.
- a. *Minimum dimensions for off-street parking.* The minimum dimensions for off-street parking shall be as follows:
    - 1. Standard space: Nine feet by 18 feet.
    - 2. Parallel space: Eight feet by 22 feet.
    - 3. Stacking space: Ten feet by 20 feet.
    - 4. Drive aisles: Two-way drive aisles shall be at least 24 feet wide; one-way drive aisles shall be at least 20 feet wide when provided in conjunction with angled parking spaces; one-way drive aisles shall be at least 12 feet wide when not provided in conjunction with parking spaces.
    - 5. Handicap spaces: Handicap parking spaces shall be provided according to State of Texas Program for the Elimination of Architectural Barriers and shall conform to the Americans Disability Act (ADA) of 1991, as may be amended, accessibility guidelines (ANSI Standards).
    - 6. The director of planning may administratively approve the re-striping of existing ten-foot wide spaces to nine feet without requiring approval of a new site plan. This provision would not allow alteration of parking lot layouts, landscaping, or additional paving.
    - 7. See the following appendix E, illustrations 13, 14, 15, 16, and 17, for maneuvering areas and overhang allowances for 90-degree, 60-degree, and 45-degree angle parking.
    - 8. In the MTC - McKinney Town Center zoning district, the city engineer and/or fire marshal shall be permitted to allow deviations to the minimum dimensions for off-street parking as needed on a case by case basis while ensuring adequate vehicle access, emergency access, sight visibility, and other related engineering design or life safety principles.
  - b. *Maneuvering.*
    - 1. All maneuvering of vehicles shall take place on site or within a mutual access easement. No public right-of-way shall be used for backing or maneuvering into or from a parking space, or for circulation within the parking lot.
    - 2. When off-street parking facilities are located adjacent to a public alley, the width of said alley may be assumed to be a portion of the maneuvering space requirement.
    - 3. In the MTC - McKinney Town Center zoning district, the city engineer and/or fire marshal shall be permitted to allow deviations to the maneuvering standards for off-street parking as needed on a case by case basis while ensuring adequate vehicle access, emergency access, sight visibility, and other related engineering design or life safety principles.
  - c. *Residential uses (except multiple family).*

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1. Required parking spaces for new construction of single family, duplex, townhome, and mobile home dwelling units shall be provided on a paved concrete surface if the adjacent street is concrete. All driveways to the required spaces shall be paved with concrete, except in AG - agricultural district and RED - residential estate districts.
2. Required parking spaces for new construction of single family, duplex, townhome, and mobile home dwelling units shall be provided on a paved asphalt or concrete surface if located on a street other than one constructed of concrete. On such streets, all driveways to the required spaces shall be paved with asphalt or concrete, except in AG - agricultural district and RED - residential estate districts.
3. If a dwelling unit is reconstructed or rehabilitated and construction of a new driveway would otherwise be required, lots platted prior to the effective date of Ordinance No. 1270 (December 15, 1981), shall not be required to construct a new driveway.
4. At any time a residential driveway is reconstructed or replaced, the pavement surface shall be as follows:

| Existing surface | New surface                  |
|------------------|------------------------------|
| Dirt or gravel   | Gravel, asphalt, or concrete |
| Asphalt          | Asphalt or concrete          |
| Concrete         | Concrete                     |

5. If no enclosed parking spaces are provided, a minimum 48 square foot enclosed storage space with outdoor access shall be provided per unit. This provision is not applicable in the MTC - McKinney Town Center zoning district.

d. *Non-residential and multiple family uses.*

1. All required off-street parking, maneuvering, and loading areas shall be paved with concrete or asphaltic material in accordance with parking lot requirements in the city's design standards, except where another surface is approved through the site plan process for special loading/unloading operations such as storage or use of tracked equipment.
2. Parking spaces shall be clearly identified by stripes, buttons, tiles, curbs, barriers, or other approved methods.
3. Barriers shall be installed to prevent overhang of vehicles into required landscape areas, rights-of-way, pedestrian ways, and private property.
4. For safety and firefighting purposes, cross access between parking areas of adjacent non-residential parcels shall be provided.
5. Fire lanes shall be provided as required by the adopted fire code of the city, and shall be adequately reinforced to withstand heavy vehicle loading.
6. Refuse facilities shall be located so as to facilitate pickup by refuse collection agencies. Sanitation containers shall not be located in a designated parking space or loading area. Reinforced concrete pavement shall be provided for refuse facilities and their approaches for loading and unloading.
7. No parking area shall be used for repair, storage, dismantling, or servicing of vehicles or equipment.
8. No parking or loading area shall be used for storage of inventory, materials, display, sanitation containers, supplies, or for any other use, except for donation collection containers permitted by chapter 138, article VII of the Code of Ordinances, or as approved through the site plan process or through the issuance of a temporary use permit. Under no circumstances shall a required parking space be used for any purpose other than parking except as otherwise permitted herein.
9. All off-street parking areas shall be kept free of litter, trash, debris, vehicle repair operations, display, and advertising uses. Donation collection containers permitted by chapter 138, article VII of the Code of Ordinances shall be permitted in an off-street parking area.
10. The property owner shall be responsible for adequately maintaining all parking facilities, including paving, striping, elimination of debris, and correction of use violations.
11. At no time after initial approval of the parking area layout, can changes be made to the location or number of provided spaces, unless approved by the director of planning or through the site plan process.

(8) *Parking prohibitions.*

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- a. No parking space, garage, carport, or other vehicle storage space or structure located on private property in a residential zone shall be used for the storage of any truck, truck trailer, or van with a manufacturer's rated capacity exceeding one ton, or any tractor, tractor trailer, farm trailer, or other agricultural equipment.
- b. It shall be unlawful for any person to park or permit to remain parked on a public street within the city any truck, truck trailer, or van with a manufacturer's rated capacity exceeding one ton, or any tractor, tractor trailer, farm trailer, or other agricultural equipment, between the hours of 6:00 p.m. and 7:00 a.m., except when said motor vehicles, trailers, or equipment are engaged in loading or unloading.
- c. No boat, trailer, camper trailer, motor home or other such recreational vehicle shall be parked or stored within the required front yard, except as may be permitted in the "ML" or "MH" districts. In single family residential districts, two family residential districts, and multiple family residential districts, the parking or storage of such vehicles is limited to the rear yard only, and is limited to a maximum of one pleasure boat and one unoccupied trailer or motor home designed for recreational use not to exceed 24 feet in length. This restriction shall not apply to the storage of a boat or other vehicle in a fully enclosed building.
- d. Parking prohibitions on unsurfaced areas shall be as follows:
  1. No car, truck, or other vehicle shall be parked on an unsurfaced area of the front yard. This provision shall not apply to those lots platted prior to the effective date of Ordinance No. 1270 (December 15, 1981).
  2. For lots platted prior to the effective date of Ordinance No. 1270 (December 15, 1981), no car truck, or other vehicle shall be parked on an unsurfaced area of the front yard if the lot has a concrete, asphalt, or gravel driveway.
  3. If a concrete, asphalt, or gravel driveway does exist for a lot platted prior to the effective date of Ordinance No. 1270 (December 15, 1981) and unique circumstances prevent strict adherence with subsection (8)d.2 of this section, the chief building official may consider an exception to the provisions of subsection (8)d.2 of this section. The applicant shall prove that the exception from the zoning regulations is warranted under the circumstances presented. The chief building official may approve the exception with conditions to limit the number of vehicles to be parked on an unsurfaced area, the area to be parked on, etc. The decision of the chief building official may be appealed to the board of adjustment. The exception may be granted if the chief building official or his designee finds that:
    - (i) Unique circumstances exist on the property, such as substandard lot size, size or location of existing structures, trees or topographical features, which make the application of subsection (8)d.2 of this section unduly burdensome;
    - (ii) The exception will have no adverse impact on current or future development;
    - (iii) The exception will have no adverse impact on the public health, safety, and general welfare; and
    - (iv) A financial hardship shall not be considered a hardship for granting an exception.

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### Sec. 146-131. - Off-street loading.

Every building or part thereof erected or occupied for retail business, service, manufacturing, storage, warehousing, hotel, mortuary, or any other use similarly involving the receipt or distribution by vehicles of materials or merchandise, may provide and maintain on the same premises loading space in accordance with the following requirements. If a loading space is provided, then the loading space must comply with the requirements below. These requirements shall not apply to the MTC - McKinney Town Center zoning district. For those standards that are specifically applicable to the MTC - McKinney Town Center zoning district, refer to appendix G to this zoning ordinance.

- (1) Each required loading space shall meet the following minimum size requirements:
  - a. Twelve feet by 60 feet for industrial or warehouse uses.
  - b. Twelve feet by 35 feet for commercial and institutional uses.
  - c. Fourteen feet minimum vertical clearance.
- (2) Access and maneuvering areas shall be provided on the same building lot as the principal use for which the loading space is intended.
- (3) Distance from property lines shall be as follows:
  - a. Any loading dock or structure and its associated loading spaces shall be:
    1. Set back a minimum distance of 200 feet from any adjacent residential use or zoning district; and
    2. Set back a minimum distance of 75 feet from any public street or front property line; and
    3. Oriented away from the street frontage.
  - b. Any loading spaces not associated with a loading dock or structure shall be set back a minimum distance of 50 feet from any adjacent residential use or zoning district, and there shall be no minimum setback if the subject property abuts a non-residential use or lot line.
  - c. In instances where a property has more than one street frontage, the bay doors shall be oriented away from the street frontage with the greatest width. If the streets are the same width, then the bay doors shall be oriented away from the property's front lot line (as defined in section 146-46(66)g.).
- (4) Loading docks for any establishment, which customarily receives goods between the hours of 9:00 p.m. and 8:00 a.m. and is adjacent to a residential use or districts shall be designed and constructed so as to enclose the loading operation on three sides to reduce noise, with the open end directed away from residential property.
- (5) If unique site circumstances prevent strict adherence with subsection (3) of this section, the planning and zoning commission may consider a variance to the provisions of subsections (3) of this section; provided that sufficient screening and buffering is provided to mitigate the impact of the loading areas on surrounding properties. The applicant shall prove that the variance from the zoning regulations is warranted under the circumstances presented. A variance may be granted if the planning and zoning commission and/or city council, depending on which body has the final approval authority as indicated in section 146-45 finds that:
  - a. Unique circumstances exist on the property that make application of subsections (3) of this section unduly burdensome on the applicant;
  - b. The variance will have no adverse impact on current or future development;
  - c. The variance is in keeping with the spirit of the zoning regulations, and will have a minimal impact, if any, on the surrounding land uses; and
  - d. The variance will have no adverse impact on the public health, safety, and general welfare.

A financial hardship shall not be considered a basis for the granting of a variance.